

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

KATHY ADKINS, *et al.*,

Plaintiff,

v.

Civil Action No. 3:11cv334

ENCORE CAPITAL GROUP, INC., *et al.*

Defendants.

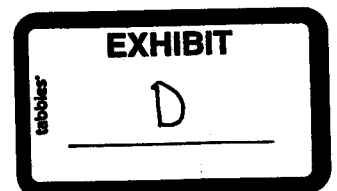
ORDER

CAME NOW Defendants, Encore Capital Group, Inc. Midland Credit Management, Inc. and Midland Funding, LLC (collectively, "Defendants"), upon their Motion to Sever (Dkt. No. 20).

For the reasons set forth in the parties' briefing, and for good cause shown, it is hereby ORDERED that the Motion to Sever is Denied without prejudice. It is further ORDERED as follows:

1. **Initial Disclosures:** The parties shall exchange initial disclosures under Fed. R. Civ. P. 26(a)(1) on or before February 24, 2012. The Parties shall provide within a single pleading separately captioned sections for the disclosure of witnesses or documents that are disclosed only as to specific Plaintiffs, in addition to the disclosure of witnesses and documents that are disclosed generally as to all Plaintiffs.

2. **Discovery:** All discovery matters and discovery coordination are assigned to the United States Magistrate Judge. Discovery may commence in full as of the date of the entry of this Order.



a. Collectively, Plaintiffs may serve a total of 30 Interrogatories, and collectively, Defendants may serve a total of 30 Interrogatories. In addition, as to all Plaintiffs who assert a claim for actual damages, the Defendants may serve an additional 5 Interrogatories;

b. Collectively, Plaintiffs may serve a total of 30 Requests for Production, and collectively, Defendants may serve a total of 30 Requests for Production. In addition, as to all Plaintiffs who assert a claim for actual damages, the Defendants may serve an additional 5 Requests for Production;

c. Defendants may depose all Plaintiffs, with the deposition of each Plaintiff who does not assert a claim for actual damages limited to 2 hours, and the deposition of each Plaintiff who does assert a claim for actual damages limited to 4 hours;

d. Plaintiffs' depositions of Defendants' employees shall not exceed a total time of 60 hours, not including a Rule 30(b)(6) deposition;

e. Each side - collectively, Plaintiffs and collectively, Defendants - may take up to fifteen non-party depositions, not including expert witnesses.

3. **Discovery Motions.** The Magistrate Judge shall hear all discovery motions. The parties shall first attempt to resolve all such disputes informally in accordance with Local Rule 37. The responding party shall file their brief in response to a filed discovery motion within 7 calendar days and any reply brief shall be filed within three calendar days thereafter.

4. **Discovery Cutoff.** All discovery shall be completed on or before August 1, 2012.

5. **Summary Judgment Motions.** All summary judgment motions shall be filed on or before August 14, 2012.

6. **Motion to Consolidate or Sever for Trial.** The parties shall confer in good faith regarding the consolidation of the Plaintiffs' claims for trial. If they are unable to reach agreement, each Party shall file a brief up to 30 pages stating their position 7 days after the Court's decision(s) on summary judgment, at 5 p.m., or if no summary judgment motion was filed, then on August 14, 2012, at 5 p.m.

7. **Certification for Trial:** At any time after the entry of this Order, the parties may request, either jointly or individually, that any of the individual action(s) be certified for trial. Prior to making such a request, the parties shall confer in good faith regarding the propriety of such a request. Any disputes regarding the certification of any action(s) for trial will be resolved by the Magistrate Judge. After a case is certified for trial by the Magistrate Judge, the parties shall contact the chambers of the assigned district judge within ten days to schedule the case for trial as quickly as possible.

8. **Status Conference:** By the last business day of each month, the parties shall schedule a conference call with the Court to discuss the status of the individual actions. The Court shall schedule a Final Pretrial Conference in addition to these monthly status conferences.

IT IS SO ORDERED.

ENTERED this _____ day of January 2012.

Hon. Dennis W. Dohnal
United States Magistrate Judge